

VIA FIRST-CLASS MAIL

July 11, 2007

Ms. Marlene Dortch
FCC Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

RE: **FCC 09-32**
MB 07-51

Dear Ms. Dortch:

Please include my letter in the record for FCC 07-32, MB 07-51. I am the Managing Partner of a new firm called Bandwidth Consulting, that provides management consulting services to private cable companies, franchise operators and independent providers of video, voice and data in multi-family communities across the U.S. My clients represent over 100,000 MDU units across the U.S.

The use of exclusive access agreements by Operators in the multi-family market segment has been very helpful in promoting competition among players in this arena. By allowing a private cable operator (PCO) to have exclusive access to an apartment community for a set period of time, it has allowed the operator to “customize” his programming, his pricing, and his product and features to the community he serves. This allows the PCO to offer specialized services to a community, which benefits the property owner, and his apartment residents with better service.

It also provides healthy competition to a marketplace which historically was only served by the large franchise cable operator for a particular market.

Much of my experience in this sector took place as the CEO and Founder of MediaWorks, a large PCO based in Atlanta which served roughly 45,000 units in the southeast U.S. We successfully utilized the benefits of exclusive

agreements to compete with Comcast, Time-Warner, and others by designing a special mix of services for each community we served. We were able to offer a more unique service, and provide “choice” for owners and residents in our markets. Without exclusive agreements, our ability to offer a customized product would not exist. The economics in an environment with multiple providers creates a situation where only the large monopolies such as Comcast, Charter, Cox and others will be able to survive. We would not (and other industry participants as well) be able to find sources of capital to fund our development of cable systems on MDU communities in a non-exclusive world.

Maintaining exclusive agreements does not mean that the FCC is restricting “choice.” A percentage choose a DBS service (since the passage of the 1998 act), a number choose off-air service, and others choose not to subscribe. We are able to design a program for the remaining residents that is created to meet their needs – custom channel line-ups, broadband service, wireless networks for the community, and access gate features. This is only possible because PCOs have the benefit of exclusivity to protect their significant investment in the property.

Exclusivity has allowed our market segment to bring competition to the MDU industry. Historically, in markets without PCOs, the apartment industry (and residents in particular) have complained of deteriorating service from franchise operators. By allowing exclusive arrangements to continue to exist, the FCC is providing for a pro-competition environment that benefits residents in apartment communities across the U.S.

Respectfully submitted,

Bryan J. Rader
Managing Principal
Bandwidth Consulting LLC